

Drugs Act as amended. The articles were labeled in part: (Bottles) "4 Fluid Ounces Concentrated Essence Imitation Lemon Artificially Colored J. Couque & Cie., San Francisco"; and "4 Fluid Ounces J. Couque & Cie. Extracts Imitation Vanilla", respectively.

It was alleged in the libel that the articles were misbranded in that the statement on the labels, "4 Fluid Ounces", was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was in package form, and the quantity of contents was not plainly and conspicuously marked on the outside of the package, since the statement made was incorrect.

On March 20, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20783. Adulteration of canned frozen eggs. U. S. v. 99 Cans of Frozen Eggs. Consent decree of condemnation and forfeiture. Product released under bond for separation and destruction of decomposed portion. (F. & D. no. 29771. Sample no. 27121-A.)

This case involved an interstate shipment of canned frozen eggs that were in part decomposed.

On January 23, 1933, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States a libel praying seizure and condemnation of 99 cans of frozen eggs at Cincinnati, Ohio, consigned October 19, 1932, alleging that the article had been shipped in interstate commerce via the Terminals & Transportation Corporation of America, from Buffalo, N.Y., to Cincinnati, Ohio, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Mixed fine Northern Eggs * * * Odell, St. Paul."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

On March 13, 1933, the J. G. Odell Co., St. Paul, Minn., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant, upon payment of costs and the execution of a bond in the sum of \$500. It was further ordered that the product be examined under the supervision of this Department, and that the decomposed portion be destroyed.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20784. Adulteration of butter. U. S. v. 4 Cartons of Butter. Default decree of condemnation and forfeiture. Product delivered to a charitable institution. (F. & D. no. 29849. Sample no. 33402-A.)

This case involved an interstate shipment of butter, samples of which were found to contain less than 80 percent of milk fat, the standard established by Congress.

On January 17, 1933, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States a libel praying seizure and condemnation of 4 cartons of butter at Allentown, Pa., alleging that the article had been shipped in interstate commerce on or about December 29, 1932, by the Sugar Creek Creamery Co., from Pana, Ill., to Allentown, Pa., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Carton) "Sugar Creek Butter, * * * Sugar Creek Creamery Company."

It was alleged in the libel that the article was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat.

On February 14, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to a charitable institution.

R. G. TUGWELL, *Acting Secretary of Agriculture.*